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June 27, 2001

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Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street S.W., TW-A325
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Re: Western Wireless Corp. Petition for Designation as an Eligible
Telecommunications Carrier for the Pine Ridge Reservation in South Dakota
CC Docket No. 96-45

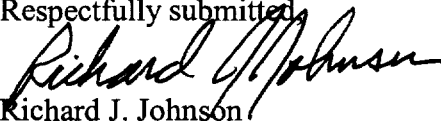
Dear Ms. Roman Salas:

This letter is written on behalf of Fort Randall Telephone Company, d/b/a Mount Rushmore Telephone Company, in response to the June 5, 2001 letter from counsel for Western Wireless Corp ("Western Wireless"). That letter contains Western Wireless' comments regarding a Stipulation for Procedure on Remand approved by the South Dakota Public Utilities Commission ("SDPUC"), which identifies specific rural telephone company study areas for which GCC License Corporation is seeking ETC status. GCC License Corp is the Western Wireless subsidiary operating in South Dakota. In the June 5, 2001 letter, Western Wireless asserts: "The SDPUC-approved Stipulation removes any possible claim of overlap between the Pine Ridge ETC application in the instant FCC proceeding and the application before the SDPUC."

To the contrary, a review of the Stipulation, a copy of which is enclosed, shows that Fort Randall (and Mount Rushmore Telephone Company) are among the rural telephone companies for which GCC License Corp is seeking ETC designation from the SDPUC. As previously noted in Comments filed March 12, 2001 by Fort Randall, the area served by Fort Randall includes a portion of the Pine Ridge reservation containing about 50 customers. Thus, contrary to the June 5, 2001 letter, the overlap between the present FCC proceeding and the application pending before the SDPUC has not been resolved.

Please contact the undersigned if further information is needed.

Respectfully submitted,



Richard J. Johnson
Counsel for Fort Randall Telephone Company,
d/b/a Mount Rushmore Telephone Company,

RJJ/krm
Enclosures

cc: Linda Kinney, OGC
Andrea Kearney, OGC
Catherine Schroder, CCB
Anita Cheng, CCB
Richard Smith, CCB

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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE FILING BY GCC)	ORDER APPROVING
LICENSE CORPORATION FOR DESIGNATION)	STIPULATION
AS AN ELIGIBLE TELECOMMUNICATIONS)	
CARRIER)	TC98-146

On August 25, 1998, the South Dakota Public Utilities Commission (Commission) received a request from GCC License Corporation (GCC) requesting designation as an eligible telecommunications carrier (ETC) for all the exchanges contained within all of the counties in South Dakota.

On August 26, 1998, the Commission electronically transmitted notice of the filing and the intervention deadline of September 11, 1998, to interested individuals and entities. At its September 23, 1998, meeting, the Commission granted intervention to Dakota Telecommunications Group, Inc. (DTG), South Dakota Independent Telephone Coalition (SDITC), and U S WEST Communications, Inc. (U S WEST).

The Commission set the hearing for December 17 and 18, 1998, in Room 412, State Capitol, Pierre, South Dakota. The issue at the hearing was whether GCC should be granted designation as an eligible telecommunications carrier for all the exchanges contained within all of the counties in South Dakota. The hearing was held as scheduled and briefs were filed following the hearing. At its April 26, 1999, meeting, the Commission unanimously voted to deny the application.

GCC appealed the Commission's decision to circuit court. The circuit court reversed the Commission's decision and remanded the case to the Commission for findings on whether it is in the public interest to grant ETC status to GCC in areas served by rural telephone companies. The Commission, SDITC, and U S WEST appealed the circuit court's decision to the Supreme Court. On March 14, 2001, the Supreme Court affirmed the circuit court's decision.

On May 31, 2001, the Commission received a Stipulation for Procedure on Remand entered into between GCC and SDITC. The Stipulation set the following procedural schedule:

On or before June 8, 2001, GCC shall file a Supplemental Memorandum with the Commission addressing whether designating GCC as an additional ETC for areas served by certain SDITC companies is in the public interest;

On or before June 27, 2001, SDITC will file with the Commission a Supplemental Rebuttal Memorandum addressing the same issue; and

On or before July 6, 2001, GCC may file a Reply Memorandum.

The Stipulation also listed the specific rural telephone companies in which GCC is seeking ETC status. The list does not include all of South Dakota's rural telephone companies. This amends GCC's original application by withdrawing GCC's request for ETC status in the areas served by certain South Dakota rural telephone companies.

At its June 4, 2001, meeting, the Commission considered this matter. The Commission voted to approve the Stipulation for Procedure on Remand. It is therefore

ORDERED, that the Stipulation for Procedure on Remand is approved.

Dated at Pierre, South Dakota, this 7th day of June, 2001.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Rebecca Kelsa</u>
Date:	<u>6/7/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF

THE FILING BY GCC LICENSE CORPORATION)	DOCKET NO. TC 96-160
FOR DESIGNATION AS AN ELIGIBLE)	
TELECOMMUNICATIONS CARRIER)	

STIPULATION FOR PROCEDURE ON REMAND

GCC License Corporation ("GCC") and the South Dakota Independent Telephone Coalition ("SDITC") hereby stipulate and propose to the South Dakota Public Utilities Commission ("Commission") the issuance of an Order adopting the following items on remand of this matter from the South Dakota Supreme Court.

1. On or before June 8, 2001, GCC will serve and file with the Commission a Supplemental Memorandum addressing whether designating GCC as an additional eligible telecommunications carrier ("ETC") in the areas served by certain SDITC companies is in the public interest in accordance with 47 U.S.C. § 214(e)(2) and SDCL § 49-31-78. On or before June 27, 2001, SDITC will serve and file with the Commission a Supplemental Rebuttal Memorandum addressing whether designating GCC as an additional ETC in the areas served by the SDITC companies is in the public interest in accordance with 47 U.S.C. § 214(e)(2) and SDCL § 49-31-78. GCC may file a Reply Memorandum on or before July 6, 2001. Each party's Memorandum will reference the portions of the existing evidence and record in this docket that support its position. Each party may also include a discussion and analysis of any FCC or any state commission decision relevant to the necessary public interest determination or any other

legal authority relevant to the designation of an additional ETC in an area served by a rural telephone company.

2. The Commission will schedule oral argument before the Commission on the public interest issue, which the parties request to occur within thirty (30) days after the date on which GCC's Reply Memorandum is due. After oral argument, the Commission will take the matter under advisement and issue a decision.

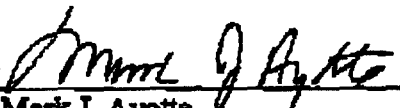
3. GCC and SDITC further stipulate and agree that GCC's Application in this docket for seeking designation as an additional ETC in areas served by a rural telephone company shall be amended to include the South Dakota study areas of only the following telephone companies:

- (a) Armour Independent Telephone Company
- (b) Baltic Telecom Cooperative
- (c) Beresford Municipal Telephone Company
- (d) Bridgewater-Canistota Independent Telephone
- (e) Brookings Municipal Telephone/Swiftel Communications
- (f) Dakota Cooperative Telecommunications, Inc.
- (g) East Plains Telecom, Inc.
- (h) Fort Randall Telephone Company
- (i) Interstate Telecommunications Cooperative, Inc.
- (j) Jefferson Telephone Company
- (k) Kadoka Telephone Company
- (l) Kennebec Telephone Company
- (m) McCook Cooperative Telephone Company
- (n) Midstate Communications, Inc.
- (o) Mount Rushmore Telephone Company
- (p) RC Communications, Inc.
- (q) Roberts County Telephone Cooperative Assn.
- (r) Sanborn Telephone Cooperative
- (s) Sancom, Inc.
- (t) Sioux Valley Telephone Company
- (u) Splitrock Telecom Cooperative, Inc.
- (v) Stockholm-Strandburg Telephone Co.
- (w) Union Telephone Company
- (x) Valley Telecommunications Cooperative
- (y) Western Telephone Company
- (z) West River Cooperative Telephone Company

In stipulating to the amendment of GCC's Application for ETC designation, SDITC does not stipulate to any finding on the public interest issue yet to be determined in this docket. Nothing in this Stipulation shall affect GCC's request for ETC designation in the South Dakota exchanges of Qwest Communications (f/k/a US WEST Communications, Inc.).

4. By the signatures of their counsel below, GCC and SDITC respectfully request the Commission adopt this stipulated procedure on remand and issue an Order amending the Application as set forth in paragraph 3 above.


GCC LICENSE CORPORATION

By 
Mark J. Ayotte
Philip R. Schenkenberg
W-2200 First National Bank Building
332 Minnesota Street
Saint Paul, Minnesota 55101

Attorneys for GCC License Corporation

Dated: May 31, 2001

**SOUTH DAKOTA INDEPENDENT
TELEPHONE COALITION**

By 
Richard D. Coit
Executive Director
P.O. Box 57
Pierre, SD 57501

Attorneys for SDITC

Dated: May 31st, 2001